

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA**

JEFFREY C. GEHRMANN, married man,

Plaintiff,

v.

KNIGHT-SWIFT TRANSPORTATION  
HOLDINGS INC. f/k/a SWIFT  
TRANSPORTATION CO. LLC, a foreign  
corporation or limited liability company,  
CR ENGLAND INC., a foreign corporation,  
MOHAVE TRANSPORTATION  
INSURANCE CO, a foreign corporation, and  
INTERSTATE EQUIPMENT LEASING  
INC., a foreign Limited Liability corporation,

Defendants.

Civil Action No. 3:20-cv-6002

DEFENDANT MOHAVE  
TRANSPORTATION INSURANCE CO.'S  
NOTICE OF REMOVAL OF ACTION  
PURSUANT TO U.S.C. SECTIONS 1332,  
1441, AND 1446

TO: CLERK, U.S. DISTRICT COURT, WESTERN DISTRICT OF WASHINGTON

AND TO: ALL COUNSEL OF RECORD

Pursuant to 28 U.S.C. §§ 1332, 1441 and 1446, Defendant Mohave Transportation Insurance Co. ("Mohave") hereby removes this action from the Superior Court of the State of Washington in and for the County of Pierce to the United States District Court for the Western District of Washington.

DEFENDANT MOHAVE TRANSPORTATION  
INSURANCE CO.'S NOTICE OF REMOVAL OF  
ACTION PURSUANT TO U.S.C. SECTIONS 1332,  
1441, AND 1446 - 1

**WOOD, SMITH, HENNING & BERMAN LLP**  
520 Pike Street, Suite 1525  
Seattle, Washington 98101-4001  
206-204-6800

**I. STATEMENT AND GROUNDS FOR REMOVAL**

1. On or about July 6, 2020, plaintiff Jeffrey Gehrmann filed a lawsuit in Pierce County Superior Court entitled *Jeffrey C. Gehrmann vs. Knight-Swift Transportation Holdings Inc., CR England Inc., Mohave Insurance Center, Inc., and Interstate Equipment Leasing, Inc.*, cause number 20-2-06760-7 (the "State Court Action"). Plaintiff served an Amended Summons and Complaint substituting Mohave Transportation Insurance Co. ("Mohave") and Interstate Equipment Leasing, LLC as defendants on Mohave on September 9, 2020. Prior to that, Mohave had not been served. *Declaration of Colin J. Troy* at ¶ 4. Plaintiff's Complaint in the State Court Action alleges more than \$75,000 in damages. Therefore, the amount in controversy exceeds \$75,000. *Declaration of Colin J. Troy* at ¶ 12.

2. The documents attached to the *Declaration of Colin J. Troy* as Exhibit A constitute all of the pleadings filed in the State Court Action. Mohave represents that, apart from the materials attached to the *Declaration of Colin J. Troy* as Exhibit A, it has received no other process, pleadings, motions or orders in this action.

3. This Court has original jurisdiction over this action pursuant to 28 U.S.C. §1332. There is complete diversity of citizenship between the parties because Plaintiff is a resident and citizen of Washington state. Exhibit A to *Declaration of Colin J. Troy*. Mohave is a citizen of Arizona with a principal place of business in Arizona. Exhibit B to the *Declaration of Colin J. Troy*. Knight-Swift Transportation Holdings Inc. is a Delaware corporation, with its principal place of business in Arizona. Exhibit C to the *Declaration of Colin J. Troy*. Interstate Equipment Leasing, LLC is a Delaware corporation, with its principal place of business in Arizona. Exhibit D to the *Declaration of Colin J. Troy*. CR England, Inc. is a foreign corporation, with its principal place of business in Utah. Exhibit E to the *Declaration of Colin J. Troy*.

1 4. Mohave reserves the right to amend or supplement this Notice of Removal.

2 5. Should Plaintiff file a motion to remand this case, Mohave respectfully requests the  
3 opportunity to respond more fully in writing, including the submission of affidavits or other  
4 authority.

5 6. By filing this *Notice of Removal*, Mohave does not waive, and expressly reserves, all  
6 defenses available under Rule 12 of the Federal Rules of Civil Procedure.

7 **II. INTRADISTRICT ASSIGNMENT**

8 7. This claim is pending in the county of Pierce, Washington, and assignment to a judge  
9 in Tacoma is appropriate.

10 **III. NOTICE TO THE STATE COURT AND PROPER FILING OF RECORDS**

11 8. A notice of the filing of this *Notice of Removal* and a true copy of this *Notice of*  
12 *Removal* will be filed with the Clerk of the Superior Court of the State of Washington in and for the  
13 County of Pierce as required by 28 U.S.C. § 1446(d).

14 9. Copies of all records and proceeding in the state court together with the *Declaration*  
15 *of Colin J. Troy* verifying that they are true and complete copies of all the records and proceedings in  
16 the State Court Action are filed concurrently with this *Notice*.

17 **IV. CONSENT TO REMOVAL**

18 10. Counsel for all defendants consented to this removal. *Declaration of Colin J. Troy* at  
19 ¶¶ 14-15.

20 WHEREFORE, Mohave requests that this case currently pending in the Superior Court be  
21 placed on the docket of the United States District Court for the Western District of Washington.

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3 DATED: October 8, 2020

WOOD, SMITH, HENNING & BERMAN LLP

4  
5 s/Colin J. Troy

6 Colin J. Troy, WSBA #46197

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Phone 206-204-6800

Attorneys for Mohave Transportation Insurance Co.

10 DATED: October 8, 2020

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11  
12 s/Philip B. Grennan

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17 Phone 206-204-6800

18 Attorneys for Mohave Transportation Insurance Co.

CERTIFICATE OF SERVICE

I hereby certify that on September 18, 2020, I electronically filed DEFENDANT MOHAVE TRANSPORTATION INSURANCE CO.'S NOTICE OF REMOVAL OF ACTION PURSUANT TO U.S.C. SECTIONS 1332, 1441, AND 1446 with the Clerk of the Court using the CM/ECF.

I hereby certify that the following have been served via CM/ECF electronic service:

Antoni H. Froehling, WSHB# 8271  
Froehling Hendricks PLLC  
510 East Main, Suit F  
Puyallup, WA 98372  
[toni@froehlinglaw.com](mailto:toni@froehlinglaw.com)

DATED this 8<sup>th</sup> day of October, 2020.

/s/Keaton McKeague  
Keaton McKeague  
[kmckeague@wshblaw.com](mailto:kmckeague@wshblaw.com)

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